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DEPARTMENT OF DEFENSE
DIRECTIVES SYSTEM TRANSMITTAL

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5122.11, Change 2	September 3, 1996	5000 Series

ATTACHMENTS

10 Pages

INSTRUCTIONS FOR RECIPIENTS

The following pen and page changes to DoD Directive 5122.11, "Stars and Stripes (S&S) Newspapers and Business Operations," October 5, 1993, are authorized:

PEN CHANGES

Change the following throughout the rest of the Directive:

Redesignate references "(c) through (j)" as "(b) through (i)"

After "Unified" insert "Combatant"

Enclosure Page 2-1

DEFINITION 2., line 3. Delete "bookstores,"

DEFINITION 6., lines 2, 4, and 6. Delete "&" in "FM&P"

Enclosure Page 3-1

MISSION A.

Lines 2 and 4. After "joint", delete "-"

Lines 6 and 7. Delete "and resale activities of commercial publications (primarily through the S&S bookstores)"

MISSION C.

Delete in its entirety and redesignate sections "D. and E." to "C. and D."

WHEN PRESCRIBED ACTION HAS BEEN TAKEN, THIS TRANSMITTAL SHOULD BE FILED WITH THE BASIC DOCUMENT

NUMBER 5122.11, Change 2	DATE September 3, 1996	DEPARTMENT OF DEFENSE DIRECTIVES SYSTEM TRANSMITTAL
INSTRUCTIONS FOR RECIPIENTS (continued)		

PAGE CHANGES

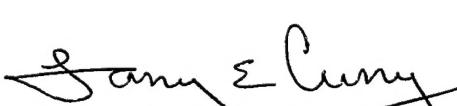
Remove: Pages 1 through 6, Enclosure 1-1, Enclosure 4-1 through 4-5

Insert: Attached replacement pages

Changes appear on pages 1 through 6 and are indicated by marginal asterisks.

EFFECTIVE DATE

The above changes are effective immediately.


Larry E. Curry, Director
Correspondence and Directives



Department of Defense

DIRECTIVE

October 5, 1993#
NUMBER 5122.11

ASD (PA)

SUBJECT: Stars and Stripes (S&S) Newspapers and Business Operations

References: (a) DoD Directive 5122.10, "American Forces Information Service," March 13, 1989

- * (b) DoD Directive 5122.5, "Assistant Secretary of Defense for Public Affairs," March 29, 1996
- * (c) DoD Directive 1015.1, "Establishment, Management, and Control of Nonappropriated Fund Instrumentalities," August 19, 1981
- * (d) through (z), see enclosure 1

* * * *

A. PURPOSE

This Directive:

1. Establishes policy, assigns responsibilities, and prescribes procedures for the S&S organizations owned by designated Unified Combatant Commands consistent with reference (a).

* 2. Authorizes the establishment, management, operation, and oversight of the STARS AND STRIPES, including the production, distribution authority, and business operations as mission-essential activities of the Department of Defense and the designated Unified Combatant Commands.

* 3. Designates the Director, American Forces Information Service, as the DoD Executive Agent for the S&S.

* 4. Authorizes the Commander in Chief, U.S. European Command, and the Commander in Chief, U.S. Pacific Command, to establish and maintain a S&S board of directors to address S&S business operations in their Unified Combatant Commands.

* * * *

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments (including the National Guard), the Chairman of the Joint Chiefs of Staff, the Unified Combatant Commands, the Inspector General of the Department of Defense (IG,DoD), the Defense Agencies, and the DoD Field Activities (hereafter referred to collectively as "the DoD Components"). The term "the Military Services," as used herein, refers to the Army, the Navy, the Air Force, and the Marine Corps.

*

C. DEFINITIONS

Terms used in this Directive are defined in enclosure 2.

D. POLICY

It is DoD policy that:

* 1. The U.S. European Command and the U.S. Pacific Command are authorized to publish the STARS AND STRIPES and provide support to the S&S. The Unified Combatant Command component commanders and their public affairs staffs shall

*

provide the STARS AND STRIPES editorial staffs the same help provided to commercial newspapers, in compliance with the principles governing the release of information to media in DoD Directive 5122.5 (reference (b)). *

2. Editorial policies and practices of the STARS AND STRIPES shall be in accordance with journalistic standards governing U.S. daily commercial newspapers of the highest quality, with emphasis on matters of interest to the STARS AND STRIPES readership. Except as provided in subsection D.5. below, the DoD policy for the STARS AND STRIPES is that there shall be a free flow of news and information to its readership without news management or censorship. The calculated withholding of unfavorable news is prohibited.

3. The S&S are basically self-sustaining operations. Each S&S shall be administered in accordance with DoD Directive 1015.1 (reference (c)) as a joint-Service nonappropriated fund (NAF) instrumentality (NAFI) in its Unified Combatant Command, except where different procedures are specified in this Directive. Funding shall be provided through newspaper sales, authorized advertising, job printing, and appropriated fund (APF) support as authorized by this Directive, DoD Directive 1015.6 (reference (d)), and DoD Instruction 1330.18 (reference (e)). The STARS AND STRIPES provide important news and information to U.S. personnel and their families stationed overseas while generating NAF revenues. *

4. The STARS AND STRIPES personnel procedures shall differ from commercial newspapers only because the S&S are U.S. Government organizations that are required to operate in accordance with the following:

a. DoD Directive 5500.7 (reference (f)), other Federal laws and DoD Directives that affect all DoD employees, and the MCM, 1984 (reference (g)), for S&S military personnel on active duty. *

b. National security constraints prescribed by E.O. 12958 (reference (h)). *

c. Overseas status of forces agreements (SOFAs), where applicable.

5. The only circumstances under which news or information that is not in the public domain may be directed to be withheld from publication in the STARS AND STRIPES by a Unified Combatant Command Commander in Chief (CINC) are when such publication:

a. Involves disclosure of classified national security information.

b. Would adversely affect national security.

c. Clearly endangers the lives of U.S. personnel.

(Those circumstances in paragraphs D.5.a. through c., above, may not be construed to permit the calculated withholding of news unfavorable to the Department of Defense, the Military Services, or the U.S. Government. Only the Unified Combatant Command CINC may authorize withholding of news or information from the STARS AND STRIPES. When the CINC directs withholding of publication, the Unified Combatant Command shall immediately inform the Assistant Secretary of Defense (Public Affairs) (ASD(PA)) by telephone and then forward an immediate precedence, appropriately classified, message to the following: SECDEF Washington DC//OASD-PA, with information copies to the Director, AFIS, and the Special Assistant for Public Affairs to the Chairman of the Joint Chiefs of Staff. The CINC may include the appropriate "AMEMBASSY" as an information addressee.) *

6. Sensitivities of host-nations shall not be a reason to withhold any story from publication in the STARS AND STRIPES. The Unified Combatant

Command theater host-nation sensitivity lists prepared for the Armed Forces Radio and Television Service (AFRTS) shall not be used to restrict the content of the STARS AND STRIPES. If representatives of other governments show an interest in, or concern about, the content of the STARS AND STRIPES, they shall be informed that:

a. The STARS AND STRIPES does not represent the official position of the U.S. Government, including the Department of Defense or the Unified *
Combatant Command. *

b. The STARS AND STRIPES is an unofficial, abstracted collection of commercial news and opinion available to commercial newspapers in the United States, along with STARS AND STRIPES editorial staff-generated DoD, command, and local news and information. The STARS AND STRIPES provides this information to the members of the Department of Defense and their family members serving overseas, as do commercial daily newspapers that are published and sold throughout the United States in keeping with the principles of the First Amendment to the U.S. Constitution.

* 7. APFs shall be provided, when required by adverse conditions or special *
circumstances as defined in enclosure 2, by the Military Services, as agreed on through a memorandum of agreement (MOA) detailing the shared *
responsibilities, and as approved by the OSD and the Unified Combatant
Commands. *

E. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Public Affairs), under DoD *
Directive 5122.5 (reference (b)), as the principal staff assistant to the
Secretary of Defense for internal information policy and programs, including
S&S matters, shall: *

a. Provide policy and broad operational guidance to the Director of
the AFIS.

b. Monitor and evaluate the overall effectiveness of the policies in
section D., above, and procedures in section F., below.

2. The Director, American Forces Information Service, under DoD Directive
5122.10 (reference (a)), shall:

* a. Provide administrative and financial direction, as the DoD *
Executive Agent, to the S&S organizations. *

* b. Develop, issue, and oversee the implementation of policies and *
procedures for the Unified Combatant Commands and the Military Departments for *
the operation of the S&S. *

* c. Provide business and policy counsel on the mission performance and *
financial operations of the S&S. *

* d. Serve as the DoD POC with the Congressional Joint Committee on *
Printing (JCP) for S&S matters. *

* e. In coordination with the Chairman of the Joint Chiefs of Staff and *
the ASD(PA), provide broad and overall planning guidelines to the Unified
Combatant Commands for S&S wartime operations that involve more than one area *
of responsibility. *

* f. Chair, as required, at the Deputy Assistant Secretary of Defense *
level, or above, the steering committee providing guidance to the S&S
Management Action Group (MAG). *

* g. Select and employ the S&S Ombudsman.

3. The Secretaries of the Military Departments shall:

a. Nominate the most highly-qualified military personnel for positions in the S&S in accordance with enclosure 5.

b. Enter into appropriate MOAs, as approved by the Unified Combatant Commands and, as required by the OSD, to provide APF and/or NAF support when required by adverse conditions as defined in enclosure 2.

4. The Secretary of the Army shall:

a. Support NAF and APF accounting and financial reporting procedures required by DoD Instruction 7000.12 (reference (i)) and Volume 13, DoD 7000.14-R (reference (j)), in coordination with the Unified Combatant Commands and the Director of the AFIS.

b. Designate the successor-in-interest to the S&S, as agreed upon by the applicable Unified Combatant Command and the Director of the AFIS.

5. The Commander in Chief, U.S. European Command, and the Commander in Chief, U.S. Pacific Command, shall:

a. Authorize a STARS AND STRIPES newspaper, provide operational direction to the S&S commander-publisher, and support the S&S throughout the Unified Combatant Command area of responsibility, consistent with each organization's status as a category B NAFI.

b. Provide Unified Combatant Command regulations and guidance, as needed, to carry out this Directive.

c. Establish procedures to resolve situations wherein a U.S. Ambassador (or, if so designated, the chief of mission) believes a specific issue in his or her nation of responsibility, not already in the public domain through other news sources, would violate national security or endanger the safety of American citizens, or other persons under their jurisdiction, if it were to be published in the STARS AND STRIPES.

d. Select the S&S commander-publisher and other military officers in S&S positions.

e. Aid the S&S commander-publisher to educate the STARS AND STRIPES editorial staff about the missions of their Unified Combatant Command and Military Service component commands.

f. Approve the selection of the STARS AND STRIPES editor.

g. Establish and maintain a S&S board of directors to address S&S business operations. (See enclosure 7.)

h. Establish and maintain STARS AND STRIPES readership forums, which may take many forms, to address STARS AND STRIPES matters of interest. Those forums are to provide community feedback to the S&S. This will enable the S&S commander-publisher and the STARS AND STRIPES editor to better understand and, thereby, better serve the interests and needs of the readers.

i. At the discretion of the Unified Combatant Command CINC, provide for meetings between the S&S commander-publisher and the STARS AND STRIPES editor, the Unified Combatant Command public affairs office, and the Unified Combatant Command component commands, represented by their directors of public affairs, to discuss the performance of the STARS AND STRIPES and the

* performance of related public affairs operations. The Unified Combatant Commands, their component commands, and the S&S may invite any attendees they choose. Representatives from the AFIS may attend. Those meetings may not serve as editorial advisory boards. The Unified Combatant Command and component commands represent the principal source, and a prominent subject, of STARS AND STRIPES staff-generated news coverage. Consequently, any involvement or appearance of involvement by component command staffs in the STARS AND STRIPES editorial policy creates an unacceptable conflict of interest damaging to the editorial integrity and credibility of the STARS AND STRIPES.

j. Ensure that the S&S commander-publisher:

(1) Assumes the duties and responsibilities of command, leadership, management, and training for the S&S.

(2) Executes DoD and Unified Combatant Command policy.

(3) Is responsible to the Unified Combatant Command CINC for S&S operations to include the newspaper publication and timely circulation, job printing activities, and associated distribution systems in the relevant Unified Combatant Command area of responsibility.

(4) Provides planning and execution of initiatives to ensure support of U.S. Armed Forces during contingency operations and armed conflict. The S&S commander-publisher shall identify wartime and contingency S&S personnel asset requirements to the Unified Combatant Command CINC to fulfill the Unified Combatant Command force responsibilities during armed conflict.

(5) Selects the STARS AND STRIPES editor.

(6) Approves, in coordination with the STARS AND STRIPES editor, military personnel selectees for the STARS AND STRIPES editorial staff. (See enclosure 5.)

(7) Provides a current status briefing and 2-year financial forecast to the Director of the AFIS at the annual AFIS S&S meeting. Provides support to the S&S board of directors as required in enclosure 7.

(8) Conducts frequent independent readership surveys, in accordance with DoD Instruction 1100.13 (reference (k)), and readership focus groups to gather information.

* 6. The Other Unified Combatant Commanders in Chief shall ensure that their deployment exercise, contingency, and war-time planning documents reflect the S&S transportation, funding or reimbursement, and in-theater distribution requirements, as applicable. Information copies of such planning documents or annexes shall be furnished to the following:

- a. U.S. European Command (ATTN: Director, Public Affairs).
- b. U.S. Pacific Command (ATTN: Director, Public Affairs).
- c. The AFIS (ATTN: Director, Print Media).

F. PROCEDURES

1. General

a. Authority to establish or disestablish S&S operations is from the Secretary of Defense through the ASD(PA) and the Director of the AFIS. The Unified Combatant Commands shall forward such requests to the Director of the AFIS, as required.

b. Classified information shall be protected in accordance with DoD Directive 5200.1 and DoD 5200.1-R (references (1) and (m)).

c. The STARS AND STRIPES and the S&S business operations shall conform to applicable regulations and laws involving libel, copyright, U.S. Government printing and postal regulations, and DoD personnel policies and procedures.

* d. With the concurrence of the Unified Combatant Command, the S&S is authorized direct communication with the Military Services on S&S personnel matters and with the Department of the Army on S&S financial matters. The S&S shall keep the Unified Combatant Command and the AFIS informed of all actions.

2. Management Review and Evaluation

a. The Director of the AFIS provides business counsel, assistance, and policy oversight for the S&S. The Director of the AFIS shall meet annually with the Unified Combatant Command representatives, to include the S&S commander-publisher, and senior DoD officials who have S&S responsibilities, such as the S&S Management Action Groups (MAG).

b. The Director of the AFIS shall be assisted by a S&S MAG composed of senior representatives from the AFIS, the Office of the Assistant Secretary of Defense (Force Management Policy) (OASD(FMP)), and the other DoD offices with the authority and expertise to aid in solving S&S problems. As needed, the Director of the AFIS may organize a DoD steering committee to oversee and aid the S&S MAG to address specific concerns identified by the Director of the AFIS and the Unified Combatant Command CINCs.

c. In accordance with DoD Instruction 7600.6 (reference (n)), the S&S shall be audited on an annual basis. The audits shall be performance audits and may be financial in nature as prescribed by the Government Auditing Standards of the Comptroller General of the United States. Each annual audit shall determine whether prior audit recommendations have been implemented and the reasons any have not been implemented. When the IG, DoD, elects to perform an audit of the S&S organization, such audit may substitute for the required annual audit. The S&S organizations shall coordinate their audit requirements with each other and the Army Community and Family Support Center to the maximum extent practicable to avoid duplication of costs and to increase the efficiency and effectiveness of these audits. Information copies of the audit contractor reports shall be forwarded by the S&S to the Unified Combatant Commands, AFIS, and the AAA. The S&S shall provide a response to the audit to the Unified Combatant Command CINC within 60 days of receiving the completed report. The S&S response to the audit must indicate a concurrence or nonconcurrence for each finding and recommendation. For each concurrence, the corrective actions taken or planned should be described, and completion dates for actions already taken, as well as the estimated dates for

REFERENCES, continued

- (d) DoD Directive 1015.6, "Funding of Morale, Welfare, and Recreation Programs," August 3, 1984
- (e) DoD Instruction 1330.18, "Resale Activities Conducted With The Use of Nonappropriated Funds, Other Than By Military Exchanges," August 28, 1974
- (f) DoD Directive 5500.7, "Standards of Conduct," August 30, 1993
- (g) Manual for Courts-Martial, United States, 1984
- (h) Executive Order 12958, "National Security Information," April 17, 1995
- (i) DoD Instruction 7000.12, "Financial Management of Morale, Welfare and Recreational Activities," May 27, 1987
- (j) DoD 7000.14-R, "Department of Defense Financial Management Regulation," Volume 13, "Nonappropriated Funds Policy and Procedures," August 1994, authorized by DoD Instruction 7000.14, November 15, 1992
- (k) DoD Instruction 1100.13, "Surveys of Department of Defense Personnel," November 9, 1978
- (l) DoD Directive 5200.1, "DoD Information Security Program," June 7, 1982
- (m) DoD 5200.1-R, "Information Security Program Regulation," June 1986, authorized by DoD Directive 5200.1, June 7, 1982
- (n) DoD Instruction 7600.6, "Audit of Nonappropriated Fund Instrumentalities and Related Activities," April 16, 1987
- (o) DoD Directive 7650.3, "Followup on General Accounting Office, DoD Inspector General, and Internal Audit Reports," September 5, 1989
- (p) DoD Instruction 1000.15, "Private Organizations on DoD Installations," September 22, 1978
- (q) DoD 4525.8-M, "DoD Official Mail Manual," July 1987, authorized by DoD Directive 4525.6, "Single Manager for Military Postal Service," May 5, 1980
- (r) The Joint Committee on Printing, Congress of the United States, "Government Printing and Binding Regulations," November 1987
- (s) DoD Instruction 1015.2, "Military Morale, Welfare, and Recreation (MWR) Activities," June 14, 1995
- (t) DoD Instruction 1330.13, "Armed Forces Professional Entertainment Program Overseas," September 8, 1985
- (u) DoD Directive 5120.20, "Armed Forces Radio and Television Service (AFRTS)," December 17, 1991
- (v) DoD Instruction 1015.10, "Programs for Military Morale, Welfare, and Recreation," November 3, 1995
- (w) DoD Directive 7050.1, "Defense Hotline Program," March 20, 1987
- (x) DoD Instruction 5240.4, "Reporting of Counterintelligence and Criminal Violations," September 22, 1992
- (y) DoD Directive 5400.7, "DoD Freedom of Information Act Program," May 13, 1988
- (z) Section 552 of title 5, United States Code, "Freedom of Information Act"

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BUSINESS AND FINANCIAL OPERATIONS

A. GENERAL FINANCIAL OPERATIONS

1. The Director of the AFIS shall administer the S&S as the central financial manager of the S&S organizations, with the authority to allocate and distribute all NAF and APF resources between the organizations. The S&S shall report as prescribed in DoD Instruction 7000.12 (reference (i)), providing information copies to the Unified Combatant Commands and the Director of the AFIS.

a. The S&S shall be authorized NAF and APF support as category B NAFIs as provided under DoD Directive 1015.6 (reference (d)).

b. The S&S shall be funded to the maximum extent possible through the sale and distribution of the newspaper, job printing; authorized advertising revenues; and other authorized sources of revenue, as approved by the Department of Defense and the Congress.

c. APF support shall be kept to a minimum, consistent with the S&S mission.

2. The Secretary of the Army shall be the DoD Executive Agent for NAF support to the S&S. If adverse conditions occur, the Director of the AFIS may apply to the Secretary of the Army for NAF support, and the other Military Services shall provide proportionate funding support through an MOA containing funding procedures coordinated with the Director of the AFIS. Copies of the agreement shall be provided to all concerned parties.

3. The STARS AND STRIPES and other S&S commercial resale publications may be made available within the Unified Combatant Command to other U.S. Government Agency members, and U.S. Government contractors, as approved by the Unified Combatant Command.

4. The S&S system of accounting and internal control shall conform with the requirements of DoD 7000.14-R (reference (j)), Army regulations on MWR activities and NAFIs, and NAF accounting policies and procedures. The S&S shall ensure that quarterly reports are furnished to the Unified Combatant Commands, the S&S Board of Directors, and the Director of the AFIS.

B. APPROPRIATED FUNDS. In addition to reference (d), the S&S shall be authorized APF support:

1. As provided by the Under Secretary of Defense (Comptroller) for direct funding support when adverse conditions make such funding necessary to ensure the survival of the newspaper without impairment of mission capability.

2. For regional air transportation of the newspaper, overseas "transportation of things" as authorized to joint service NAFIs; and electronic, optical, or satellite transmission of the newspaper when long distances require these modes to ensure timely and economical delivery.

3. As required, to transport STARS AND STRIPES to officially designated "remote and isolated" locations. The Unified Combatant Commands may authorize DoD official postage to remote and isolated locations, if that action is required to ensure timely delivery. Each S&S shall annually review its mailing support to minimize APF expenditures. The U.S. postal regulations apply to the S&S.

a. The S&S shall use in-house or other non-postal means of transportation to distribute the newspaper to areas that are not designated as remote and isolated.

b. The S&S are authorized to use official managerial and administrative mail related exclusively to the business of the U.S. Government in accordance with DoD 4525.8-M, Chapter 3, Subsection 0.8 (reference (q)). Such official mail is also authorized to support archive responsibilities in the United States, as designated by the AFIS. Official mail may forward the STARS AND STRIPES through the Department of Defense to the Congress. Official mail is not authorized to provide the STARS AND STRIPES to general readership or to support in-theater distribution of S&S resale commercial publications.

4. For transportation of military personnel incident to mission-essential travel, required military training, participation in contingency operations, in military field exercises, such as "REFORGER" or "TEAM SPIRIT," or to areas of armed conflict.

5. In times of armed conflict or national contingency deployment, as directed by the Chairman of the Joint Chiefs of Staff for production and free distribution of the STARS AND STRIPES to forces as designated. The Unified Combatant Commands shall endeavor to provide the STARS AND STRIPES and other S&S services for DoD personnel engaged in military operations, contingency operations, and exercises in the most expeditious manner possible as requested by the participating commands. The requesting Unified Combatant Command shall be responsible for distribution of the STARS AND STRIPES within its theater of operations. These services shall be provided on a reimbursable basis to the S&S.

6. In other agreements as made with the Unified Combatant Commands, the Department of Defense, and the Military Departments.

C. NONAPPROPRIATED FUNDS

The S&S NAFs shall be invested in the Army's Banking and Investment Program in accordance with DoD Instruction 7000.12 (reference (i)) and the implementing Army regulations. Each S&S shall participate in the Army's Risk Management Insurance Program in accordance with Army regulations.

D. ADVERTISING

1. The STARS AND STRIPES are authorized to solicit, sell, publish, and circulate run-of-the-paper display advertising, paid classified ads, and supplement section advertising, to include price and brand names of products or services and related coupons. Implementation of the advertising authority shall be as specified by the Director of the AFIS.

2. The STARS AND STRIPES may sell, through commercial advertising agencies, run-of-the-paper advertising of DoD recruiting and retention programs or activities.

3. The S&S has the right to refuse any advertising.

4. The STARS AND STRIPES may publish news stories on special DoD-affiliated tours or entertainment opportunities for DoD personnel and their dependents in accordance with DoD Instructions 1015.2 and 1330.13 (references (s) and (t)).

5. The S&S may promote the STARS AND STRIPES; authorized advertising; and job printing services (except APF) in the STARS AND STRIPES. The STARS AND

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STRIPES also may promote literacy, health, safety, and other community service issues.

6. The S&S may promote AFRTS schedules, programs, and services in their newspapers. The S&S shall cooperate with AFRTS outlets to promote each others' programs and services as authorized by DoD Directive 5120.20 (reference: (u)).

7. As a newspaper operated by the Department of Defense, the STARS AND STRIPES may not:

a. Contain any material that implies that the DoD Components or their subordinate levels endorse or favor a specific commercial and/or individually owned product, commodity, or service.

b. Subscribe, even at no cost, to a commercial, feature wire, or other service whose primary purpose is the advertisement or promotion of commercial products, commodities, or services.

c. Carry any advertisement that implies discrimination as to race, age, origin, gender, politics, religion, or physical characteristics that include health.

E. TRADEMARK. The S&S shall trademark the STARS AND STRIPES in overseas areas where it is distributed.